CLASSIFICATION OFFICE DECISION

Title of publication: (Pthc) Babysitter and Girl 8yo.mpg

Other known title(s): Not stated

OFLC ref: 1000044.000

Medium: Computer Moving Image File

Director: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification: Objectionable.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 17 February 2010

Date of direction to issue a label: No direction to issue a label has been issued

	Components	**Running time**
Timed component(s):	(Pthc) Babysitter and Girl 8yo.mpg	20:15
Total running time:		20:15

Summary of reasons for decision:

The computer moving image file is deemed objectionable under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) because it promotes and supports the exploitation of children and young persons for sexual purposes. The file explicitly depicts two prepubescent girls and a young teenage girl being instructed to perform sexual activities on one another. As such, the publication is a record of their sexual exploitation. For those with a sexual interest in children and young persons, the publication serves to legitimise and encourage that interest.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children and young persons for sexual purposes.